

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention

| the specification of which (check                                       | HYBRID VEHICLE CO         | ONTROL APPARATUS               |                                  |      |
|---|---------------------------|--------------------------------|----------------------------------|------|
| is attached hereto was filed on   | as Application Serial No. | and was amended on             | (if applicable).                 |      |
| I hereby state that I have reviewed amended by any amendment reference. |                           | s of the above-identified spec | cification, including the claims | , as |

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

## PRIOR FOREIGN APPLICATION(S)

| NUMBER      | COUNTRY | MONTH/DAY/YEAR FILED | PRIORITY CLAIMED |
|-------------|---------|----------------------|------------------|
| 2001-027391 | JAPAN   | 02/02/2001           | Yes              |
|             |         |                      |                  |
|             |         |                      |                  |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph Title 35, United States Code, §112, I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| APPLICATION SERIAL<br>NUMBER | FILING DATE | STATUS: PATENTED, PENDING,<br>ABANDONED |
|------------------------------|-------------|---|
|                              |             |   |
|                              |             |   |

I hereby appoint as my attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: David L. Tarnoff, Reg. No. 32,383; Yoshio Miyagawa, Reg. No. 43,393; Patrick A. Hilsmier Reg. No. 46,034; Todd M. Guise, Reg. No. 46,748.

Send all correspondence to: SHINJYU GLOBAL IP COUNSELORS, LLP, 1233 Twentieth Street, NW, Suite 700, Washington, DC 20036. Address all telephone communications to David L. Tarnoff at (202)-293-0444.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| Full Name of First or Sole Inventor:<br>Saburo Tomikawa                    | Signature of First or Sole Inventor Saburo Tomikawa | Date: 1/1/2002                   |  |
|--|---|----------------------------------|--|
| Residence Address: 5-19-14 Sakuradai, Isehara-shi, Kanagawa 259-1132 JAPAN |   | Country of Citizenship:<br>JAPAN |  |
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| Signatures should confirm to names as typewritten. | Additional inventors on the attached Page 2 |
|--|---|
| CANAN NITING LIGO15152 Declaration & DOA           |   |